

COPY



## Canterbury Earthquakes Royal Commission

Komihana a te Karauna hei Tiro tiro i ngā Whare i Horo i ngā Rūwhenua o Waitaha

30 August 2011

Mr M North  
c/- St Christopher's Church  
244 Avonhead Road  
CHRISTCHURCH 8042

Dear Sir

### 7 Riccarton Road

The Royal Commission of Inquiry into Building Failure Caused by the Canterbury Earthquakes is currently inquiring into the failure of a number of buildings in Christchurch, including the building previously located at 7 Riccarton Road (the Building). We understand that the St Christopher's Avonhead Bookshop was prior to 22 February 2011 a tenant of the Building.

Would you please provide the following information by **9 September 2011**:

1. A rapid assessment by Christchurch City Council (**Council**) was conducted on 6 September 2010. Were you made aware of the result of this assessment?
2. We have a copy of a letter dated 6 September 2010 from Mr David Elliott, structural engineer from, Aurecon addressed to you and setting out his review of the Building.
  - (a) Did you, as the tenant, instruct Aurecon to carry out this review?
  - (b) If yes, what date did you instruct Aurecon?
  - (c) If no, who did instruct Aurecon?
  - (d) Do you know when Aurecon were instructed?
3. Please advise details of any contact you had with the owners of the building in relation to the September earthquake and subsequent aftershocks.
4. Please advise details of any contact you had with the owners in relation to the Aurecon letter dated 6 September 2010 or any structural assessments of the property following the September earthquake.
5. In the letter from Mr Elliott dated 6 September 2010 strengthening of the building was recommended to be carried out:

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15 Barry Hogan Place, Addington, Christchurch  
PO Box 14053, Christchurch Mail Centre 8544

- (a) Are you aware if any such work was carried out on the building? If so please provide details.
6. Two further Council rapid assessments were carried out on 7 September 2010 and 9 September 2010.
- (a) Were you made aware of the results of those assessments? If so please provide details.
- (b) Were you aware that Mr Elliott was involved in those assessments?
- (c) Please provide details of any contact you had with Mr Elliott in relation to this.
7. The Council records note a telephone call from you on 8 September 2010. The record notes:
- "Concrete façade badly cracked, caller concerned it could fall down on pedestrian. Structural engineer says with another significant tremor it could come down":
- (a) Who was the structural engineer to whom you referred in that telephone call?
- (b) Did that structural engineer speak to you?
- (c) If yes, please give full details of the conversation.
- (d) If no, who gave you that information?
8. A rapid assessment was carried out on 11 September 2010 resulting in the building being yellow placarded:
- (a) Did you convey this to Mr Elliott?
- (b) If yes, when? If not, why not?
9. The Council records show that on 10 September 2010 a call was received from you requesting a "further inspection after Wed quake."
- (a) Why did you make that request?
10. The Council records show that on 15 September 2010 Phillip Hector from the Council recorded:
- Spoke to the owner of the bookshop and he advised that the structural engineers (Aurecon) had evaluated the building and advised that it was now suitable for occupation. "Engineers have advised that structural strengthening required in future. Tenant to forward a report for filing to data base"
- (a) Please advise when you spoke to Aurecon.
- (b) Was this a reference to the letter dated 6 September 2010 from Aurecon?
11. A Council Events record dated 26 October 2010 records:
- "Customer advised to provide certification that building is safe as per Building Act 2004. Customer's engineer (David Elliott, Aurecon) sent

appropriate certification documents. Both customer and engineer happy with update information provided by BETT”:

- (a) Please provide details of the update information you were provided by the Council.
  - (b) Did you discuss this information with Mr Elliott?
12. A Council rapid evaluation assessment was carried out on 19 October 2010 which noted “cracking of the façade”. The Building was yellow placarded as a result:
- (a) When were you made aware of this assessment?
  - (b) Did you convey this information to Mr Elliott?
  - (c) If so, when? If not, why not?
13. We understand you spoke to members of the Bush family (the family of the man who was killed when the façade of 7 Riccarton Road fell on his vehicle on 22 February 2011) and advised that you had concerns about the building but that the landlord had got the building declared safe.
- (a) Was this correct?

The above information is requested pursuant to the Royal Commission's powers of investigation set out in s 4C of the Commissions of Inquiry Act 1908.

Yours faithfully

  
Mark Zarifeh  
Counsel Assisting  
Canterbury Earthquakes Royal Commission



St Christopher's Community Trust  
244 Avonhead Road  
Avonhead  
8042

14 September 2011

Mark Zarifeh  
Canterbury Earthquakes Royal Commission  
P.O.Box 14053  
Christchurch Mail Centre  
8544

Dear Mark

7 Riccarton Road

In response to your letter dated 30 August 2011, the following:

1. Yes, our clear understanding was that the building was assessed by the City Council as being safe for resumption of business.
- 2a. Yes, we instructed Mr Elliott as we wanted to be certain that the building was completely safe.
- 2b. We have no record of the date of instruction, but believe it was 5 September 2010.
- 2c. N/A
- 2d. N/A
3. We were in frequent contact with both Mr David Yan, (Christchurch) and Mr Michael Yan. We have no record of the actual dates of contact.
4. We believe that we spoke to the owners regarding the general tenor of the AURECON report.
5. Mr David Yan spent a considerable amount of time in the Sept 2010 – Feb 2011 period working on the upper level of the building, but we believe this was only in relation to installing new guttering.
6. We cannot recall the detail of these assessments or the extent to which Mr Elliott was involved or the detail of any contact we had with him at the time.
7. We cannot recall the detail of that conversation the engineer referred to.
8. We cannot recall actually contacting Mr Elliott, but I believe we kept him informed of all material matters as they occurred.
9. At all times we were anxious to ensure that we received the best possible professional advice regarding the safety of the building. It was a very old brick and concrete block building with some visible cracks on the facade. Although the previous Council inspections had cleared us to re-open the shop, we felt it prudent to have the position re-checked, particularly in the light of ongoing aftershocks, hence our call requesting a further inspection.
10. We have no record of the date or details of this conversation.

11. We have no record of having received this information.
12. We were not aware of that development.
13. Yes, we did speak to Liana Bush and her partner sometime after 22 February 2011 and told her that we had insisted on getting an independent professional assessment regarding the safety of the building. I later gave Liana Bush a copy of the email I received from the City Council which approved our reopening the shop which we did on 10 November 2010. The shop was closed completely during the period 4 September to 10 November 2010. I did not tell Liana Bush that 'the landlord had got the building declared safe.'

Morris North  
Manager

St Christopher's Community Trust

**7 RICCARTON ROAD  
STATEMENT OF LYNETTE ANDRELL**

I am the manager of the Night & Day Dairy, 11 Riccarton Road, which is owned by my father.

The Night & Day Dairy was next door to the bookshop which was situated in the building at 7 Riccarton Road.

I did not give the building at 7 Riccarton Road a lot of thought before and really after the September 2010 earthquake, other than to think that it was an old building.

I did go into the bookshop a couple of times after the September earthquake and brought books.

I know that it was yellow stickered at some stage after the September earthquake because I saw the sticker on the front of the shop and saw that the shop was closed because of the earthquake.

I recall that some time later the shop re-opened and the manager and his female assistant were working there, wearing hardhats and high visibility vests. This went on for a couple of weeks.

This was definitely not in the period immediately after the earthquake but sometime later after the shop had been closed because of the yellow sticker and then re-opened.

I recall thinking that it was odd that they were wearing those items if the building was presumably safe enough to be open for business.

13.12.11

Date

  
Lynette Andrell







BUI.RIC007.0046.1  
**E-MAILED**  
7.11.11 @ 2:16pm

## Canterbury Earthquakes Royal Commission Te Komihana Rūwhenua a te Karauna

7 November 2011

By Email: [ross.kain@marlborough.govt.nz](mailto:ross.kain@marlborough.govt.nz)

Dear Mr Kain

**7 Riccarton Road, Christchurch**

The Royal Commission is inquiring into the building that was situated at 7 Riccarton Road.

You completed a Level 2 Rapid Assessment on 19/10/10 (Rapid Assessment form **enclosed**).

On that same day you completed an "Enforcement Team Notices cover sheet" (copy **enclosed**).

I also **enclose** a copy of a photo of the building prior to September 2010 to help you recall it.

Could you please provide the following information, before **14 November 2011**:

1. I understand that in October of last year you were working on secondment with the Christchurch City Council. Could you please provide brief details of your qualifications and experience as relevant to building assessments.
2. When you carried out the inspection on 19/10/10 were you with a group or alone? If in a group, did that include an engineer? If so, please provide details.
3. Please briefly outline the nature of the Level 2 Rapid Assessment that was carried out on 7 Riccarton Road.
4. Were you aware of the previous assessments of the property?
5. There was a Level 1 Rapid Assessment on 11/9/10 by an inspector from the Council which noted "large crack in front façade and parapet. Engineer to inspect and advise".

Was your Level 2 Rapid Assessment a follow up to this previous Level 1 Assessment?

6. On the Notices cover sheet it is written "Any remedial work required to be carried out asap" Did this reflect the concern you had with the building? If so, please elaborate.
7. Under NTF it is recorded "Weakened and cracked walls to be made good and strengthened. Building consent required and will need CPEng certification".

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15 Barry Hogan Place, Addington, Christchurch  
PO Box 14053, Christchurch Mail Centre 8544

Freephone 0800 337 468

[www.royalcommission.govt.nz](http://www.royalcommission.govt.nz)



Please explain how you envisaged the "weakened and cracked" walls were likely to be able to be made good?

8. Could you please explain the notation at the bottom left of that form:

① Structural

Desc: struct; Parapets; (a) & (e)"

9. The photographs forwarded to us by the tenant's structural engineer we are told show the façade of the building as he viewed it on 7/9/10 (copies **enclosed**).

Can the cracking you observed on 19/10/10 be seen in that photograph? Please explain if possible.

The above information is requested pursuant to the Royal Commission's powers of investigation under s 4C Commissions of Inquiry Act 1908.

Thank you for your assistance in this matter. If you have any queries please do not hesitate to contact the writer (phone: (03) 741-3014, email: [mark.zarifeh@royalcommission.govt.nz](mailto:mark.zarifeh@royalcommission.govt.nz))

Yours faithfully

PP 

Mark Zarifeh  
Counsel Assisting  
Canterbury Earthquakes Royal Commission



# Christchurch Eq RAPID Assessment Form - LEVEL 2

Inspector Initials: Ross Kim Date: 19/10/10  
 Territorial Authority: Christchurch City Time: 10:25am Final Posting (e.g. UNSAFE): Unsafe

Building Name: Bookshop  
 Short Name: \_\_\_\_\_  
 Address: 7 Precator Road  
 GPS Co-ordinates: S° \_\_\_\_\_ E° \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Contact Phone: \_\_\_\_\_  
 Storeys at and above ground level: \_\_\_\_\_  
 Total gross floor area (m<sup>2</sup>): \_\_\_\_\_  
 No of residential Units: \_\_\_\_\_  
 Photo Taken: Yes  No

**Type of Construction**

<input type="checkbox"/> Timber frame	<input type="checkbox"/> Concrete shear wall
<input type="checkbox"/> Steel frame	<input checked="" type="checkbox"/> Unreinforced masonry
<input type="checkbox"/> Tilt-up concrete	<input type="checkbox"/> Reinforced masonry
<input type="checkbox"/> Concrete frame	<input type="checkbox"/> Confined masonry
<input type="checkbox"/> RC frame with masonry infill	<input type="checkbox"/> Other: _____

**Primary Occupancy**

<input type="checkbox"/> Dwelling	<input checked="" type="checkbox"/> Commercial/ Offices
<input type="checkbox"/> Other residential	<input type="checkbox"/> Industrial
<input type="checkbox"/> Public assembly	<input type="checkbox"/> Government
<input type="checkbox"/> School	<input type="checkbox"/> Heritage Listed
<input type="checkbox"/> Religious	<input type="checkbox"/> Other

Investigate the building for the conditions listed on page 1 and 2, and check the appropriate column. A sketch may be added on page 3

Overall Hazards / Damage	Minor/None	Moderate	Severe	Comments
Collapse, partial collapse, off foundation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Building or storey leaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p style="font-size: 1.2em; margin: 0;"><i>Cracking in parapet to be checked by Engineer</i></p>
Wall or other structural damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overhead falling hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ground movement, settlement, slips	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Neighbouring building hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Electrical, gas, sewerage, water, hazmats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Record any existing placard on this building:

Existing Placard Type (e.g. UNSAFE): Yellow

Choose a new posting based on the new evaluation and team judgement. Severe conditions affecting the whole building are grounds for an UNSAFE posting. Localised Severe and overall Moderate conditions may require a RESTRICTED USE. Place INSPECTED placard at main entrance. Post all other placards at every significant entrance. Transfer the chosen posting to the top of this page.

INSPECTED GREEN G1 G2

RESTRICTED USE YELLOW Y1 Y2

UNSAFE RED R1 R2 R3

Record any restriction on use or entry:

Further Action Recommended:

*Tick the boxes below only if further actions are recommended*

- Barricades are needed (state location):
- Detailed engineering evaluation recommended
  - Structural
  - Geotechnical
  - Other:
- Other recommendations:

Estimated Overall Building Damage (Exclude Contents)

None	<input type="checkbox"/>		<input type="checkbox"/>
0-1 %	<input type="checkbox"/>	31-60 %	<input type="checkbox"/>
2-10 %	<input type="checkbox"/>	61-99 %	<input type="checkbox"/>
11-30 %	<input type="checkbox"/>	100 %	<input type="checkbox"/>

Sign here on completion

Ross Kim

Date & Time ID: 19/10/10 10:25am

Inspection ID: \_\_\_\_\_ (Office Use Only)



Structural Hazards/ Damage	Minor/None	Moderate	Severe	Comments
Foundations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roofs, floors (vertical load)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Columns, pilasters, corbels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Diaphragms, horizontal bracing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pre-cast connections	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Beam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Non-structural Hazards / Damage</b>				
Parapets, ornamentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Cladding, glazing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ceilings, light fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Interior walls, partitions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Elevators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Stairs/ Exits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Utilities (eg. gas, electricity, water)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Geotechnical Hazards / Damage</b>				
Slope failure, debris	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ground movement, fissures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Soil bulging, liquefaction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**General Comment**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Usability Category**

Damage Intensity	Posting	Usability Category	Remarks
Light damage	Inspected (Green)	G1. Occupiable, no immediate further investigation required	
Low risk		G2. Occupiable, repairs required	
Medium damage	Restricted Use (Yellow)	Y1. Short term entry	
Medium risk		Y2. No entry to parts until repaired or demolished	
Heavy damage	Unsafe (Red)	R1. Significant damage: repairs, strengthening possible	
High risk		R2. Severe damage: demolition likely	
		R3. At risk from adjacent premises or from ground failure	

2 Inspection ID: \_\_\_\_\_ (Office Use Only)





<b>CHRISTCHURCH CITY COUNCIL</b> ENFORCEMENT TEAM NOTICES COVERSHEET	<b>Christchurch</b> City Council
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<b>Address :</b>	7 Riccarton Road.		
<b>Date :</b>	19/10/10	<b>Time:</b>	10-25 am

<b>Building Evaluation Transition Team - Actions</b>	
Level 1 (2) Assessment Sheet completed (attached)	<input checked="" type="radio"/> Yes / No
Photos taken and attached:	<input checked="" type="radio"/> Yes / No
Previous Existing Placard – RED <input checked="" type="radio"/> YELLOW GREEN UNKNOWN	
New Status (please circle – RED <input checked="" type="radio"/> YELLOW GREEN	

<b>Further Action required:</b> (Instruction for Administration)	<input checked="" type="radio"/> Yes / No
Bookshop closed. Letter to owner for confirmation of Engineer inspection. Any remedial work required to be carried out asap.	- engineer Report attached

No further Action required – Information entered by Data Hub - File PROCESSED 26/10

<b>Notice Required to be completed by Operation NOTICE staff</b>	<input checked="" type="radio"/> Yes / No
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**Txt: Fully outline what the danger is and / or work required:**

NTE - Weakened + cracked walls to be made good and strengthened. Building consuit required and will need CPEng certification.

26/10/10

(1) Structural. Desc: Struct; Parapets; (a) & (e) Date: 30.11.10 BC: may be required	Awaiting certifying engineers documents from David Elliott, Arcon.
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<b>Completed by (print name):</b> Ross Kern
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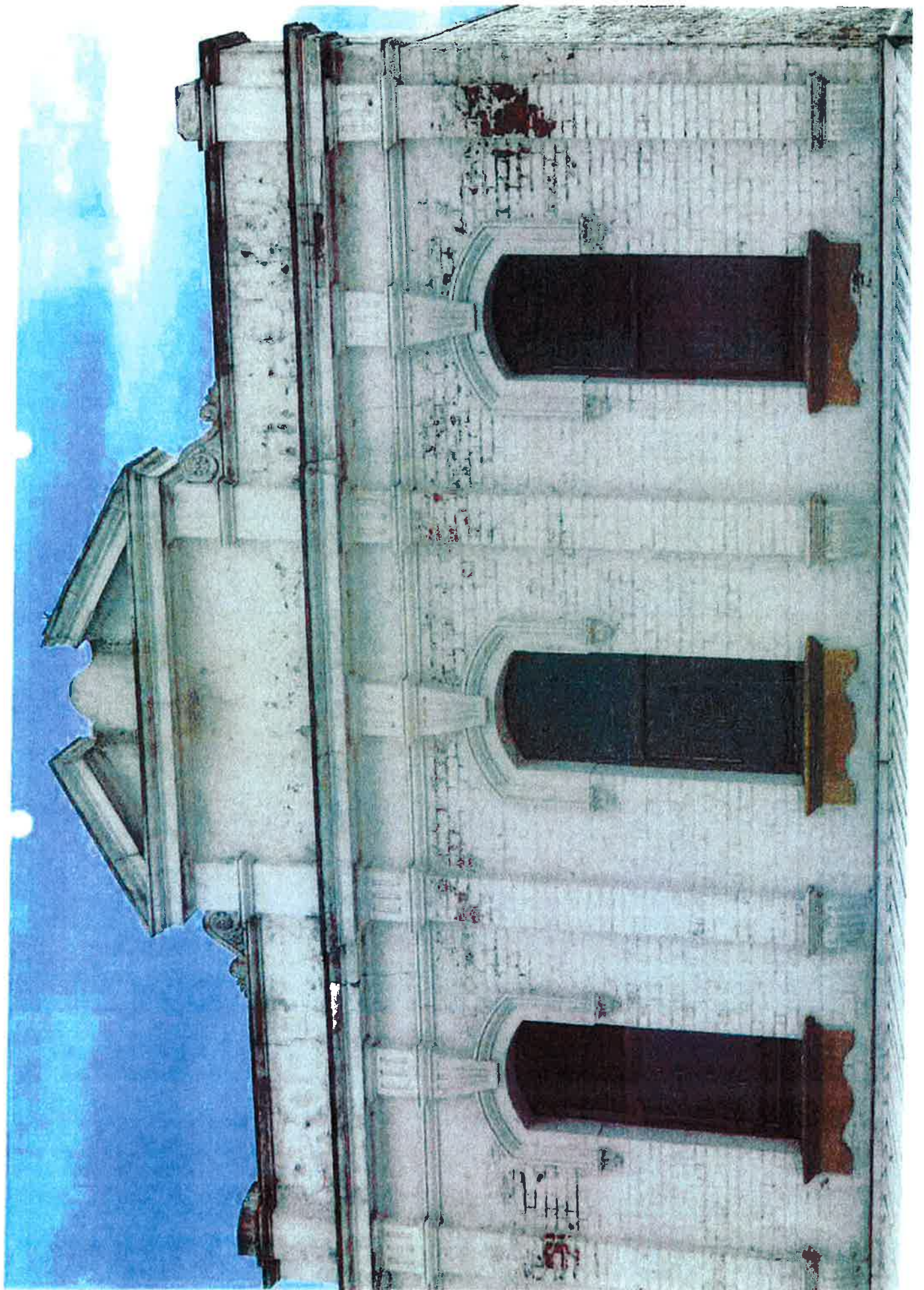
C2\_RK191

scanned 26/10

























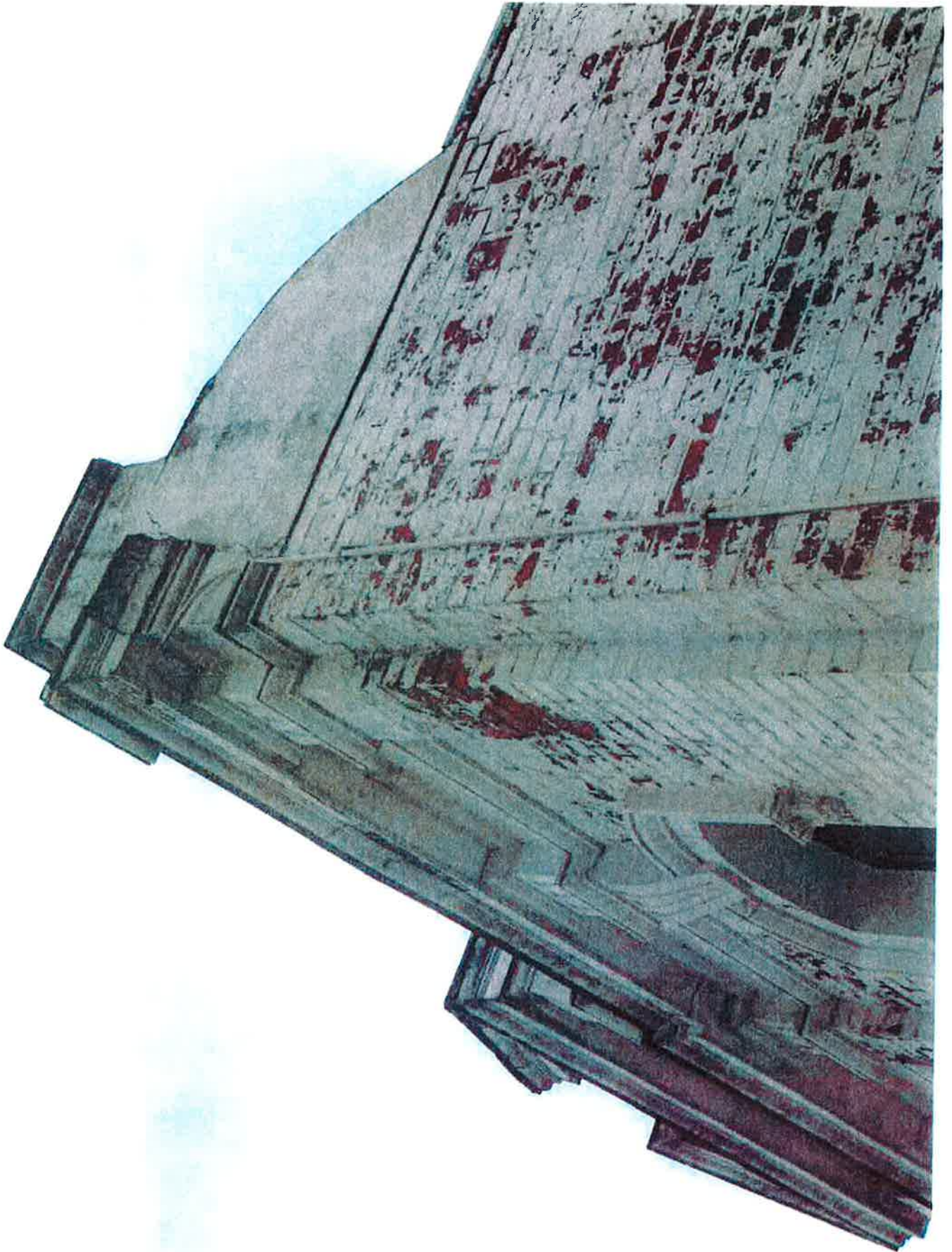


















## **Response to Questions from the Canterbury Earthquakes Royal Commission Re: 7 Riccarton Road - Christchurch**

**File: C270-14-02**

My name is Ross Kain and I am a Building Control Officer employed by Marlborough District Council

The Marlborough District Council provided assistance to the Christchurch City Council and Waimakariri District Council following the September 2010 earthquakes.

I was not part of the initial response team which operated during the first week following the earthquake. I was seconded only for one week which was the final week that the Christchurch City Council needed help from the Marlborough district Council.

During the response I was undertaking work on behalf of the Christchurch City Council. The Christchurch City Council provided all forms and the procedures for the work I undertook whilst there. The records were retained by Christchurch City Council and I hold no personal records as I handed everything to the Christchurch City Council.

To specifically answer your questions:

1. I am currently employed by the Marlborough District Council as a Building Control Officer. I have been employed by the Marlborough District Council since April of 2007. As part of my duties I undertake various building inspections throughout the construction process and also process and grant Building Consents. Prior to being employed as a Building Control Officer I worked for 20 years in the construction industry. I have Trade Certificate in Carpentry and have undertaken various training modules while with Council.
2. At this inspection I was with Paul Guile, a work colleague also from the Marlborough District Council. Paul is also a Building Control Officer and it was his second week on secondment. There was no Engineer present at the inspection but one was available if requested by phone. As the building did not appear to be in danger of sudden collapse and was empty, no call for an Engineer was made.
3. This inspection was primarily carried out to assess whether further damage had occurred since the first inspection. The inspection was also to assess whether any repair work had been carried out on the building. The building was closed and therefore a visual external inspection of the building was undertaken. The building was already yellow stickered. As the building did not appear to be in danger of imminent collapse it was decided by Paul and I that the yellow sticker should remain. I do not remember this building especially. It was known that a previous Rapid Assessment had been carried out but I can not be absolutely certain that the documentation for this was on site at the time of this inspection as occasionally previous files could not be located.
4. As stated in Question 3 this was a follow up to the first inspection to check whether any repairs had been done and to do a further visual inspection.
5. Answered in Questions 3 and 4 above. However I was not undertaking an Engineers inspection as I do not hold that qualification. I was undertaking a level 2 rapid inspection.

6. This comment reflected that the cracking in the walls was of some concern and that unless the comment was worded strongly then these concerns may not be conveyed to the owner of the building strongly enough.
7. The NTF comment is an instruction to the compliance team to issue the owner with a Notice to Fix under The Building Act 2004 and highlighting the items that need to be addressed by the owner. It was not part of our job to envisage how the building could be made good but to report back to the Christchurch City Council detailing the condition of the building and what needed to be conveyed to the owner.
8. I don't know what the notation stands for as it was put on the form on the 30/11/2010 which is more than a month after the inspection, I presume by someone at the Christchurch City Council.
9. I can not remember clearly as the inspection was over a year ago and most of the buildings that I saw of that size and construction had some cracking. Christchurch City Council may have photographic records of the building that may assist but as far as I can remember I did not take any photos whilst on site.

**Mary-Ann Hutton**

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**From:** Mary-Ann Hutton  
**Sent:** Tuesday, 22 November 2011 5:21 p.m.  
**To:** 'bethjadam@gmail.com'  
**Subject:** 7 Riccarton Road  
**Attachments:** Worksmart details document.pdf

Dear Beth

Further to our conversation I attach the work smart details form which I spoke to you about.

Could you please prepare a brief outline explaining what your position was on 8 September 2010 and the fact that you took that call and recorded under the details section what Mr North said to you and that it is accurate, etc.

Let me know if you have any problems. Once you send it back to me I will get it put into a statement and send it to you for signing.

Thank you for your assistance.

Regards

**Mary-Ann Hutton**  
**Legal Administrator**  
**Canterbury Earthquakes Royal Commission**  
[mary-ann.hutton@royalcommission.govt.nz](mailto:mary-ann.hutton@royalcommission.govt.nz)  
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